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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 JEFFREY R. McKEE,

11 Plaintiff,

12 v.

13 LOREN TAYLOR et al.

14 Defendants.

CASE NO. 09-5207RJB

ORDER DENYING PLAINTIFF'S
MOTION FOR AN EXTENSION OF
TIME

15 This 42 U.S.C. §1983 civil rights matter has been referred to the undersigned
16 Magistrate Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate
17 Judge Rules MJR 1, MJR 3, and MJR 4. Plaintiff has filed a motion asking for an
18 extension of time to file an amended complaint (ECF No. 70). Defendants oppose the
19 motion (ECF No. 71.).
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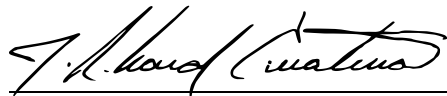
21 In March of 2011, the Ninth Circuit remanded this case because the court had not
22 given the plaintiff a chance to file an amended complaint (ECF No. 61). In April of 2011,
23 the court entered an order directing plaintiff to file his amended complaint on or before
24 May 20, 2011 (ECF No. 64). Rather than complying with that order, plaintiff asked that a

1 previous complaint be served (ECF No. 66). The court denied plaintiff's motion to serve
2 his complaint because the complaint contained defects and did not comply with Fed. R.
3 Civ. P. 8 (a). The court ordered plaintiff to comply with its prior order to file an amended
4 complaint. The court extended the time for filing until June 24, 2011 (ECF No. 69).

5 On June 15, 2011, plaintiff filed a motion asking for an extension of time (ECF
6 No. 69). Plaintiff states as reasons for the extension of time that he is incarcerated and
7 lacks knowledge of the law (ECF No. 69). Defendants note that plaintiff has had eleven
8 hours a week of legal library access since November 17, 2010. Further, while plaintiff
9 alleges lack of knowledge of the law, defendants note no less than twenty- two prior
10 actions plaintiff has maintained (ECF No. 79, fn1).
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12 The court concludes that plaintiff has not shown good cause for an extension of
13 time. Plaintiff has had four months to file an amended complaint and he has not complied
14 with this court's orders. The motion is DENIED. A Report and Recommendation that
15 this action be dismissed with prejudice is separately submitted.

16 DATED this 6th day of July 2011.

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19 J. Richard Creatura
United States Magistrate Judge
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